REMARKS

The Office Action dated October 16, 2008 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 2, 7, 8, 10 and 27 have been amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter has been added. Claims 1-8, 10-20 and 22-27 are presently pending and are submitted for reconsideration.

In the Office Action, claims 1-12 and 27 were rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. This rejection is respectfully traversed.

Claim 1 was rejected for allegedly being merely an abstract idea not tied to a technological art. Applicants disagree and submit that claim 1 discloses that information is stored, and the information is related to relationships between a plurality of public and private identities and a control entity. In addition, the control entity is allocated to a further registration based on the stored information. Clearly, a control entity is more than simply an abstract idea. A control entity is a tangible entity that is described by claim recitations of claim 1 as being allocated to a further registration based on stored information. Given the interrelationship between the stored information and the control entity, there is no logical reason why the operations of method claim 1 could be interpreted as being "merely...an abstract idea." Furthermore, claim 1 is a method claim which is a well established classification of invention under 35 U.S.C. §101.

Additionally, claim 1 is a method claim that is tied to an apparatus (i.e., a control entity), and, for at least this reason is considered statutory subject matter in view of the recent proceeding held by the CAFC for *In re Bilski.*

As for claim 12, Applicants submit that a system is also a well established type of statutory claim. The system of claim 12 comprises a plurality of control entities and various units which are also considered statutory subject matter, which must not be confused with merely an "abstract idea." As for claim 27, Applicants submit that claim 27 is a computer program-type claim that is in accordance with U.S. patent practice and 35 U.S.C. §101. For instance, claim 27 recites a computer program embodied on a computer readable medium. The embodying of a computer program on a computer readable medium is indicative of a physical medium. Support for the definition of a computer readable medium is provided by *In re Lowry,* 32 F.3d 1579, 1583-1854, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994), which states: "When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized" (see §2106.01 of the MPEP). One of ordinary skill in the art would readily recognize that a medium that allows for information to be read from itself is physical and tangible and cannot be interpreted as non-statutory subject matter.

Accordingly, independent claims 1, 12 and 27 are considered statutory subject matter. By virtue of dependency claims 1-9 and 10 are also statutory. Withdrawal of the rejection of claims 1-12 and 27 is kindly requested.

Referring now to the Office Action, claims 1-8, 10-20, and 22-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2005/0009520 (Herrero) in view of 3GPP TS 23.228 V6.1.0 (March 27, 2003) (hereinafter '3GPP'). The Office Action took the position that Herrero discloses all of the elements of independent claims 1, 12, 13 24, 25 and 27 with the exception of different private identities being associated with a common service profile. The Office Action then relied on 3GPP to cure those deficiencies of Herrero with respect to the claims. It is respectfully submitted that, for at least the reasons provided below, Herrero and 3GPP fail to disclose or suggest all of the features recited in the presently pending claims.

Claim 1, upon which claims 2-8, 10, 11 and 26 are dependent, recites a method that includes storing in a user information storage information about relationships between a plurality of public and private identities associated with a subscription, and of a control entity in which at least one of the identities is registered. The method further includes allocating the control entity to a further registration based on the information stored in the user information storage. The method additionally includes recognizing at the user information storage that different private identities are associated with a common service profile.

Claim 12 recites a system that includes a plurality of control entities. The system also includes a user information storage configured to store information of relationships between public and private identities associated with users of a communication system and of a control entity in which at least one of the public and privates identities is registered. The system further includes an allocating unit configured to allocate a call control entity to a further registration associated with a user based on the information stored in the user information storage. The system additionally includes a recognizing unit configured to recognize at the user information storage that different private identities associate with a common service profile.

Claim 13, from which claims 14-20, 22 and 23 depend, recites an apparatus that includes a storing unit configured to store information of relationships between public and private identities associated with users of a communication system and of a control entity in which at least one of the public and private identities is registered. The apparatus also includes an allocating unit configured to allocate the call control entity to a further registration associated with a user based on the information stored in the user information storage. The apparatus further includes a recognizing unit configured to recognize at the user information storage that two or more of private identities are associated with a common service profile.

Claim 24 recites a system that includes a plurality of control entities. The system also includes user information storage means for storing information of relationships between public and private identities associated with users of a communication system

and of a control entity in which at least one of the public and privates identities is registered. The system further includes allocating means for allocating a call control entity to a further registration associated with a user based on the information stored in the user information storage means. The system additionally includes recognizing means for recognizing at the user information storage that different private identities associate with a common service profile.

Claim 25 recites an apparatus that includes storing means for storing information of relations between public and private identities associated with users of a communication system and of a control entity in which at least one of the public and private identities is registered. The apparatus also includes allocating means for allocating the call control entity to a further registration associated with a user based on the information stored in the user information storage. The apparatus further includes recognizing means for recognizing at the user information storage that different private identities associate with a common service profile.

Claim 27 is a computer program claim that is similar to at least one of the above-described independent claims, however, claim 27 has its own scope.

As discussed below, Herrero and 3GPP fail to disclose or suggest all of the elements of any of the above-presented independent claims and consequently does not provide the features described in the present application or the present claims.

Herrero generally describes a method for supporting multiple registrations from the same user requested from different terminals in a telecommunications system. As

depicted in FIG. 3 of Herrero, marked as "prior art," a user has a subscription that includes a single private identity. The system requires managing information related to the location of the user and related to the plurality of identifiers that identify the user in the system. In response, Herrero generally describes a method allowing further multiple session establishments to be made with any of those terminals. The home server of the user may store a plurality of private identities related to the subscriber data of the user together with a public identity. Each registration of the user contains a public identity assigned to the user and a private identity among the plurality of the private identities assigned to the user (see Abstract of Herrero). The user subscription includes a plurality of public and private identities (see FIG. 6 of Herrero).

Applicants submit that Herrero does not group private identities according to their associated service profile and allocate a control entity to private identities having a common service profile. Rather, Herrero only associates different private identities and associated service profiles with a single subscription such that a user does not require multiple subscriptions for each of his user terminals and different service profiles. As an indication that Herrero does not disclose the recited embodiments.

Applicants further submit that the disclosure in Herrero cannot be adapted for use by organizations, such as those having sub-divisions with groups of people having different private identities with a common service profile. In contrast, embodiments of the present application recognize a common structure of organizations and reflecting this structure by providing a communication system which stores user information relating to

a plurality of private identities in the user information storage, recognizes at the user information storage that different private identities are associated with a common service profile, and allocates a control entity to a further registration based on the information stored in the user information storage. In this way, private identities having a common service profile can be allocated to a common control entity which is suitable for accommodating common service profiles.

Applicants urge that Herrero does not disclose at least the recitation from the independent claims 1, 12, 13, 24, 25 and 27 of "recognizing at the user information storage that private identities are associated with a common service profile." As described above, the arrangement disclosed in Herrero is for a single user having multiple private identities, different user equipment, a common subscription, and <u>different service profiles</u> for each of the different user terminals.

The Office Action admitted the Herrero is deficient with respect to certain features of the independent claims (see page 3 of the Office Action). Specifically, the Office Action admitted that Herrero fails to disclose "recognizing at the user information storage that private identities are associated with a common service profile", as recited, in part, in independent claims 1, 12, 13, 24, 25 and 27. Applicants agree that Herrero contains at least these deficiencies with respect to the pending claims. However, the Office Action wrongfully concluded that the above-noted 3GPP document cures those deficiencies of Herrero with respect to the pending claims.

Referring to section 4.3.3.4 of 3GPP, a relationship between private and public user identities is described. FIG. 4.6 illustrates that different private user identities can share a common service profile. Specifically, FIG. 4.6 suggests that private user identity 1 and private user identity 2 share the common service profile 2 by using public user identity 2. However, there is no disclosure or suggestion of any "recognizing at a user information storage that different private identities are associated with a common service profile", as recited, in part, in independent claim 1 and similarly in independent claims 1, 12, 13, 24, 25 and 27.

In the last paragraph of section 4.3.3.4 of 3GPP it is stated that all service profiles of a user, which share at least one common private user identity through their relationship to public user identities, shall be associated to the same serving call session control function (S-CSCF). This arrangement proposes that a private identity may be associated with different service profiles and that the same individual control entity is allocated to the numerous different service profiles associated with the common private user identity. Accordingly, it is clear that the example in section 4.3.3.4 of 3GPP does not disclose or suggest the feature of "recognizing at the user information storage that different private identities are associated with a common service profile", as recited, in part, in independent claim 1 and similarly in independent claims 1, 12, 13, 24, 25 and 27.

The claims recite that "different private identities" (e.g., private identity 1, private identity 2, etc.) are associated with a "common service profile" (i.e., service profile 1). Contrary to the features recited in the claims, 3GPP suggests that different service

profiles (e.g., service profile 1 **and** service profile 2) are associated with a common private identity (i.e., private identity 1). The arrangement disclosed in 3GPP is for a different purpose than that of the present application. For instance, the arrangement of 3GPP may be used for a single user having a private identity and a plurality of different service profiles associated with the private identity.

It would appear that 3GPP suggests the operation of recognizing that the plurality of <u>different</u> service profiles of a user share a <u>common</u> private user identity, and, the same control entity is allocated based on this recognition operation. In contrast, the present invention is directed to the situation in which a plurality of different users have different private identities which are associated with a common service profile such that the different users can receive the same services. Certain advantages of providing a plurality of different users have different private identities which are associated with a common service profile may be best understood by considering an example embodiment of the present application.

Referring to an example embodiment of the present application, an organization may subscribe to a communication system and be allocated a public identity such as a telephone number which is associated with that subscription. A number of individuals (i.e., persons having individual private user accounts) within the organization may have respective private identities. In one example, the organization may allocate different service profiles for different private entities. For instance, the organization may include different divisions having different service profiles.

The present application addresses the potential division barriers and have adapted the communication system to deal with this organizational flaw by "recognizing at the user information storage that different private identities are associated with a common service profile", as recited, in part, in independent claim 1 and similarly in independent claims 1, 12, 13, 24, 25 and 27. By utilizing this type of recognizing operation, control entities may then be allocated accordingly. In other words, registration of all private identities is allowed by utilizing the same services to be offered at the same controller entity. The communication system of the present application may ensure that all private identifies associated with the same service profile are registered to the same S-CSCF. Registration at the same S-CSCF enables provisioning of the same services for a number of subscribers which have the same service profile (see page 9, lines 21-25, page 10, lines 8-11, and the last paragraph of page 11 of the present application).

Yet another example of the present application may be described by considering a family with parents and children that has a common public identity. The parents in the family may have private identities associated with one service profile. The children may have private identities associated with a different, restricted service profile (i.e., television control features used to limit violent and inappropriate television broadcasting). To the contrary, 3GPP does not group private identities according to their associated service profile and allocate a control entity to private identities having a common service profile. Rather, 3GPP associates different service profiles with a

common private identity and allocates a control entity to the different service profiles having a common private identity for providing different services to a single user.

Applicants submit that the arrangement described in 3GPP is not adapted for use in organizations which have sub-divisions comprising groups of people having different private identities and a common service profile. The problem with the limited approach provided in 3GPP is that it is not adapted for organizations. This problem may be solved by recognizing a common structure of organizations and reflecting the structure by providing a communication system which stores user information relating to a plurality of private identities in the user information storage, and "recognizing at the user information storage that different private identities are associated with a common service profile", as recited, in part, in independent claim 1 and similarly in independent claims 1, 12, 13, 24, 25 and 27. Using the approach recited in the claims, private identities having a common service profile may be allocated to a common control entity which is suitable for accommodating common service profiles. Herrero and 3GPP do not support this approach and do not disclose all of the subject matter recited in any of the pending claims.

Therefore, Applicants submit that Herrero and 3GPP fail to disclose all of the subject matter of independent claims 1, 12, 13, 24, 25 and 27. By virtue of dependency, Herrero and 3GPP also fails to disclose all of the subject matter of those claims dependent thereon. Withdrawal of the rejection of claims 1-8, 10-20 and 22-27 is kindly requested.

For at least the reasons discussed above, Applicants respectfully submit that the cited references fail to disclose or suggest all of the elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unanticipated and unobvious. It is therefore respectfully requested that all of claims 1-8, 10-20 and 22-27 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

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